

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO
EASTERN DIVISION

SEAN MICHAEL DETTY,

Petitioner,

v.

CIV. NO. 2:10-CV-427
CR. NO. 2:05-CR-060(6)
JUDGE MARBLEY
MAGISTRATE JUDGE KING

UNITED STATES OF AMERICA,

Respondent.

ORDER

On December 22, 2010, the United States Magistrate Judge recommended that respondent's motion to dismiss be granted and that petitioner's motion for relief from judgment be denied. *Report and Recommendation*, Doc. No. 259. Although the parties were advised of their right to object to the *Report and Recommendation*, and of the consequences of their failure to do so, id., there has nevertheless been no objection.

The *Report and Recommendation*, Doc. No. 259, is **ADOPTED** and **AFFIRMED**. Respondent's motion to dismiss, Doc. No. 248, is **GRANTED** and petitioner's motion for relief from judgment, Doc. No. 255, is **DENIED**.

The motion to vacate, set aside or correct sentence pursuant to 28 U.S.C. §2255 is **DISMISSED**.

The Clerk is **DIRECTED** to enter **FINAL JUDGMENT** in this action.

s/Algenon L. Marbley
Algenon L. Marbley
United States District Judge